## **REMARKS**

In reply to the final Notice of Non-Compliant Amendment dated March 9, 2009, Applicants submit herewith the corrected section of the non-compliant amendment in compliance with 37 C.F.R. 1.121. Claims 1-6, 8, 25-28, and 34 are pending. Applicants have remedied the formalities identified by the Examiner in claims 8 and 25. In view of the remarks in Applicants' January 21, 2009 Office Action response and the preceding amendments, Applicants respectfully submit that all claims in this application are in complete condition for allowance and request reconsideration of the application in this regard. In the event that any issues remain outstanding, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicants do not believe fees are due in connection with filing this communication. If, however, any fees are necessary as a result of this communication, the Commissioner is hereby authorized to charge any under-payment or fees associated with this communication or credit any over-payment to Deposit Account No. 23-3000.

Respectfully submitted,

March 13, 2009
Date

/William R. Allen/

William R. Allen, Ph.D.

Reg. No. 48,389

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower

441 Vine Street

Cincinnati, Ohio 45202

Telephone: (513) 241-2324

Facsimile: (513) 241-6234